

REGULAR MEETING OF JASPER COUNTY COUNCIL SEPTMEBER 20, 2016

The Jasper County County Council met this date at 7:00 P.M. in the Commissioners Room, Suite 202, of the Jasper County Courthouse located at 115 West Washington Street, Rensselaer, Indiana, with the following members present: Rein Bontreger, Gerrit H. DeVries, John T. Price, Andrew Andree, Stephen Jordan, Gary Fritts and Paul Norwine. Also present was Kimberly K. Grow, Jasper County Auditor, and Tina Porter, Deputy Auditor. Mr. Bontreger called the meeting to order and those present stood and recited the Pledge of Allegiance led by Andrew Andree.

MINUTES: Mr. Price had the following correction: Midway down page 6 where it stated “Mr. Price asked if we get three additional Probational Officers, will that put us where we need to be or would we still be short” should actually read “three additional Correctional Officers”. Mr. Andree made the motion to approve the minutes, with the noted correction, for August 16, 2016 August 19, 2016 and August 23, 2016. Mr. Fritts seconded and the motion carried unanimously.

ADDITIONAL APPROPRIATION / CAGIT / SHERIFF: Sheriff Risner was present to request an additional appropriation to the Jail Repair account in the amount of \$20,000.00. They began the year with \$50,000.00 and as of August 22, 2016, they were down to \$10,000.00. They still have not received the bill for the resealing, repair and restriping of the parking lot, which is around \$9,900.00. He stated that they’ve spent over \$5,000.00 repairing failing kitchen appliances. He requested an additional appropriation in the Medical & Hospital Account in the amount of \$30,000. They pay Quality Correctional Care \$9,907.00 per month, which covers the full-time nurse, doctor and pharmaceuticals. Hospital bills are also paid out of this account. Mr. Fritts asked if this account is depleted. Sheriff Risner replied that, as of August 22, 2016, they were down to \$58,500.00. Mr. Jordan made the motion to approve **Additional Appropriation Ordinance No. 2016-09A** in the amount of \$50,000.00 and Mr. DeVries seconded. This motion carried unanimously.

ADDITIONAL APPROPRIATION / COUNTY GENERAL / SHERIFF: Sheriff Risner requested an additional appropriation in the Uniform account in the amount of \$10,000.00. Several officers have left for other opportunities. When their replacements are hired, new uniforms and body armor most oftentimes will need purchased due to sizing. Mr. Norwine made the motion to approve **Additional Appropriation Ordinance No. 2016-09B** in the amount of \$10,000.00 and Mr. Fritts seconded. This motion carried unanimously.

TRANSFER / COUNTY GENERAL/ WEED BOARD: Mr. Korniak requested by letter a transfer from the Other Supplies account to the Personal Services account for part-time in the amount of \$332.00. Mr. DeVries made the motion to approve this transfer request and Mr. Jordan seconded. This motion carried unanimously.

TRANSFER / COUNTY GENERAL / VETERAN’S SERVICES: Mr. Donnelly requested by letter a transfer from the Travel account to the Office Supply account in the amount of \$400.00 to cover the annual fee for the computer program, VetraSpec. This is a state-mandated program. Mr. Fritts made the motion to approve this transfer request and Mr. Norwine seconded. This motion carried unanimously.

TRANSFER / LOCAL ROAD AND STREET: Mr. Haberlin requested by letter a transfer from the Road Equipment account to the Equipment account in the amount of \$400,000.00. Commissioner Maxwell and Commissioner Walstra were present in the audience to answer any questions regarding this transfer. Mr. Bontreger asked Mr. Maxwell to explain what they’re getting or what is being transferred with this request. He replied that this is for the two tractors that they had discussed last spring, as well as the warranty program. Mr. Maxwell stated that part of this amount is for truck beds as well. Mr. Bontreger asked how road projects are going this year. Mr. Maxwell stated that they have one more week of chip and seal, at which time they will have one-hundred and thirty six miles done and then they are going to start black-topping. Mr. Fritts made the motion to approve this transfer request and Mr. Jordan seconded. This motion carried unanimously.

**REGULAR MEETING OF JASPER COUNTY COUNCIL
SEPTMEBER 20, 2016**

2017 JASPER COUNTY BUDGET ADOPTION: Mr. Bontreger read aloud the paragraph and the following amounts for Ordinance 09-20-2016A.

DLGF - REVIEWD FUNDS

GENERAL	\$16,599,927.00
REASSESSMENT	\$194,292.00
HIGHWAY	\$7,951,748.00
LOCAL ROAD & STREET	\$750,000.00
CUMULATIVE BRIDGE	\$1,000,000.00
HEALTH	\$316,076.00
EMERGENCY AMB/MED SERVICES/FIRE	\$650,820.00
CUMULATIVE CAPITAL IMP (RATE)	\$1,500,000.00
CUMULATIVE CAPITAL DEVELOPMENT	\$1,010,700.00
TOTAL FOR DLGF – REVIEWED FUNDS	\$29,973,563.00

HOME –RULED FUNDS (NOT REVIEWED BY DLGF)

CAGIT – SPECIAL LEGISLATION	\$1,514,900.00
CAGIT CO CERTIFIED SHARES	\$0.00
CEDIT CTY SHARES	\$1,574,425.00
CLERK REC PERP	\$11,883.00
COMMUNITY CORRECTIONS PROJ INC	\$434,315.00
EXTRADITION SERVICES (SUP CT)	\$20,000.00
LOIT PUBLIC SAFETY – COUNTY SHARE	\$1,433,163.00
DEF & DIVERSION FUND	\$23,048.00
RECORDERS RECORD PERPETUATION	\$60,693.00
SUPL PUBLIC DEFENDER SERVICES	\$10,000.00
SUR CRNR PERP	\$14,000.00
LOCAL HEALTH MAINT TRUST	\$20,739.00
STATEWIDE 911	\$607,896.00
PARTNERS / DRUG FREE COMMUNITY	\$2,084.00
SUPL ADL PROB	\$139,500.00
COMM CORR WRK REL	\$10,000.00
SUPL JUV PROB	\$27,700.00
CTY USER FEES	\$146,500.00
DON WARN SIRENS	\$4,000.00
BALANCE INNKEEPERS TAX FUND	\$140,000.00
GEN LOCAL HEALTH MAINT TRUST	\$33,139.00
EMER PLANNING / RIGHT TO KNOW	\$5,500.00
IN LOCAL HEALTH DEPT TRUST ACT	\$0.00
CNTY ELECTED OFFICIALS TRAINING	\$8,000.00
2016 LOIT SPECIAL DISTRIBUTION	\$2,000,000.00
PROSECUTOR FEDERAL FORFEITURE	\$10,000.00
PROSECUTOR STATE DRUG RECOVERY	\$10,700.00
DONATIONS ANIMAL SHELTER	\$1,500.00
TOTAL FOR HOME – RULED FUNDS	\$8,263,685.00

GRAND TOTAL **\$38,238,909.00**

Mr. Bontreger stated that these figures are all available online at www.budgetnotices.in.gov. Mr. DeVries made the motion to accept the budget as adopted. Mr. Fritts seconded. This motion carried unanimously.

RENSSELAER CENTRAL SCHOOL CORPORATION BINDING REVIEW: Mr. Curt Craig, the Assistant Superintendent, was present, along with Mr. Charlie Parrish, and stated that the budget this year is less than what was published last year. They are not expecting any increases in the tax rate. Their funds are sound. One of the differences this year is that they are advertising for two busses, as opposed to one. The general fund is provided through the State. Mr. DeVries asked how they managed to come up with a budget less than last year. Mr. Craig replied that they publish the budget a little high because it does get cut back. The Capital Projects Fund was the one that was always the big question. In the past, it was more of a guess on what that number was going to be, but this year, the State had given them some guidance. Based on the State's guidance, that fund was lowered. Mr. Norwine suggested that he would encourage them going to an elected board.

**REGULAR MEETING OF JASPER COUNTY COUNCIL
SEPTMEBER 20, 2016**

RENSSELAER CENTRAL SCHOOL CORPORATION BINDING REVIEW CONT'D: He stated that the Council is the school's oversight; however, five out of the seven do not live in the school's district. Mr. Craig replied that they've just gone through that process and there are strong feelings on both sides. Last month, the School Board heard from a committee that was organized to study an elected board. Mr. Parrish stated that the committee consisted of each board member appointing a community member and the consensus of the community committee was to, at this time, leave things the way that they are and proceed as they always have. They see no reason to change the structure or make-up of the current board. Mr. Craig stated that they have decided to revisit the issue after the next census. Mr. Norwine stated that he thinks it's better served locally. Mr. Jordan asked if there are plans to go ahead with the structure that was talked about for the multi-purpose wellness center. Mr. Parrish replied that the board decided not to pursue that. Mr. Bontreger asked if there were any further questions and stated that this would be voted on in October.

AIRPORT AUTHORITY BUDGET: Mr. Craig Jackson, Secretary Treasurer, was present with Mr. Ray Seif, the new full-time Manager. Mr. Jackson stated that the previous year, they were able to cut \$4,500.00 from their budget. Unfortunately, this year they are looking at a \$16,000.00 increase. It comes primarily from personnel services and increases in insurance. Otherwise, most of the line items have remained stable, in line with what they've done in the past. He stated that they have three funds. The Operating Fund is used to maintain and operate the airport. The Rotary Fuel Fund is used to purchase fuel. When fuel is sold, the proceeds from that are returned to this fund. This fund does not require a tax levy. The Cumulative Building Fund is basically a savings account. Out of this fund, they are able to cover the local amount for the fuel farm and the upcoming nine bay airplane hangar. Mr. Bontreger asked how the fuel farm is working out. Mr. Seif replied that it's been mostly good, although they did have a gasket go out last week. It was under warranty and has been fixed. Mr. Fritts asked how the crop application has been this year compared to in the past. Mr. Seif replied that he came towards the end of the season. He stated that he's had one flight. He was also contacted by another crop applicator for a late season application flight. Mr. Jackson stated that there was virtually no activity last year due to the poor weather. He said that this year, they did see a significant uptick in the amount of flights and the amount of activity. Mr. Jordan stated that the Cumulative Building Fund is showing a decrease of \$60,800.00. Mr. Jackson replied that there were two line items that were going to pay for debt service for the fuel farm and the hangars. The fuel farm is paid for, which is ninety-five percent paid for by Federal grant money. He said they were also the beneficiary of some of that money that came through unexpectedly. They netted approximately \$223,000.00 that they are using for the hangar project so they will not have to incur debt for that. Mr. Jordan asked if that was the reimbursement for the LOIT. He replied that that's correct. Mr. DeVries asked, regarding the health insurance, if that was taken out and applied to Mr. Seif's pay. Mr. Jackson stated that they were advised by their attorney that, as a single employer and part of the Affordable Care Act, they are not allowed to pay for Mr. Seif's health insurance. More specifically, they are not allowed to have a separate line item for his insurance. He said if they wanted to help cover some of it, they could just increase his salary accordingly, which is what they did. Mr. Bontreger asked if there were any further questions and stated that this would be voted on in October.

NORTHWEST INDIANA SOLID WASTE: Ms. Carol Stradling was present representing Northwest Indiana Solid Waste Management. She stated that the district serves six counties: Benton, Carroll, Jasper, Newton, Pulaski and White. She stated that she has a twenty member board. They are elected officials but because they are not elected to her board, she has to present to the County with the highest assessed valuation, which happens to be Jasper County. She said that Mr. Bontreger is a representative of Jasper County on her board. She stated that she does not get any tax levies or money from Jasper County. In 2015, they received \$259,000.00 from the Newton County landfill. That represents \$0.10 for every ton of trash going in to the landfill. They received \$162,872.00 from Liberty Landfill, operated by Waste Management in White County. Mr. Fritts asked if the Liberty rate is also \$0.10 and she replied that it's \$0.125 per ton. She stated that she's requesting a total of \$622,150.00. This is an increase over last year because they've hired an educator, who is a licensed teacher, and Ms. Stradling felt like they needed to increase her salary. She stated that, even with the increase, they never spend their entire allotment. Whatever is not spent stays in their investments. She believes they have \$1,500,000 in investments.

**REGULAR MEETING OF JASPER COUNTY COUNCIL
SEPTMEBER 20, 2016**

NORTHWEST INDIANA SOLID WASTE CONT'D: In 2015, they provided education programs for over 7,000 people, recycled 4,200 tons of recyclables, collected 39.5 tons of household hazardous waste and recycled 423 pounds of electronics. Jasper County Highway Garage helps Northwest Indiana Solid Waste with the tire collection events and Rensselaer Street Department conducts the regular recycling activities so those are really the only costs to the County. She said that each one of their six counties receives \$10,000.00 to recycle and each recycling center receives \$22,000.00. Essentially, that amount is either reimbursable, or what most counties prefer, is to just give the invoice to the solid waste district and they pay the invoice that way it's not coming out of the County funds. She said she believes Jasper County is reimbursable. Mr. Bontreger asked if there were any further questions. She stated that she would like to add that she does have a budgetary meeting before her board and they approve it before she sends it to the County. She said they have a chance to approve it and authorize it.

IROQUOIS CONSERVANCY: Mr. Blaney was present with Mr. Dale Lahey. Mr. Blaney stated that their budget is the same as last year. He stated that they still have money available and they've kept the tax rate as low as they can. Jasper County pays approximately sixty percent in to the fund and Newton County pays the other forty percent. He stated that although he'd like to say their work is done, it's not. They entered in to a contract last spring for \$170,000.00 to clean out numerous log jams. The weather and water levels of the river delayed them getting the work done, as well as being unable to work when the Indiana bat is in the area. When the bat season is over on October 1, they can resume work. He stated that their engineers applied to the Corps of Engineers and were given a ten year window that they can continue to do maintenance on the river. It will save the landowners money since the Conservancy will not have to go back to the Corps of Engineers for permission each time something needs done. Mr. Bontreger asked if what the Conservancy does has to be in conjunction with Illinois. He replied that Illinois does nothing. He stated that they don't have a conservancy district. Mr. Jordan stated that they've discussed it in the past and he still doesn't understand why the fund is just drawn from the farmers and not the municipalities within the area. Mr. Blaney stated that they do work with the City of Rensselaer and the city basically maintains the river within the city.

JUDGE AHLER: Judge Ahler was present and stated that he'd like to give an update. He was at the last Commissioners meeting and the Commissioners approved the hiring of an additional Court Reporter. When he submitted the funding, he was not aware he would have a second Court Reporter at the time, so he is short on the money for that. He said it's close, but not enough for a full-time salary and he will need to be addressing that situation.

He said he'd also like to make the Council aware that they have a murder trial in the next few months and he was informed the day before that the defense counsel asked for an expert witness to confront one of the possible experts raised that the State may offer in support of their case. He said that he doesn't want to presume he knows the defense's case, but he presumes it will be a DNA scientist. This will cost money. He said he has very little choice when asked to provide an expert, unless it's an unreasonable request. This is a reasonable request and he has granted their motion to employ an expert witness. He doesn't know the exact cost, but expert witnesses are generally not cheap. In order to watch the bills, he said he will try to make sure he understands what is being expended on that. He said that forty percent of that will come back to us under the Public Defender Commission.

Mr. Bontreger asked if he will have the new person in place to get him through the trial. He replied that he hired the replacement of Terri Budde. He has not hired the Court Reporter because he wanted to make sure he had the Commissioners approval and received his budget numbers back. He said he does have someone in mind but has not extended an employment offer. Mr. DeVries asked if, on the expert witness, he can specify that it only goes up to a certain amount. Judge Ahler replied that it's not really his call. He said that it could create a problem and the case could come back on appeal. He stated this this will probably cause him to go over his allotted budget, but he doesn't have a number yet.

REGULAR MEETING OF JASPER COUNTY COUNCIL SEPTMEBER 20, 2016

PURDUE EXTENSION / WEBINAR: Auditor Grow stated that there is a webinar being held at the Extension Office with Larry DeBoer on October 14, 2016 from 10:00 A.M. to 12:00 P.M., Central Time. The workshop is free. If they would like to attend, Auditor Grow stated that she would need to get them registered by October 12, 2016.

JAIL BOND REFINANCE: Mr. Bontreger stated that Mr. Jim Walstra was present and informed him that if they refinance the jail bonds to a lower interest rate, they will save \$150,000.00 to \$160,000.00. They would be restructuring the last five years of the bonds. Mr. Bontreger stated that the Commissioners have the authority to do it whether the Council approves or not, but it would be better if they could support the Commissioners efforts. He stated that they had tossed around the idea of trying to pay the jail off early, which would have saved some interest money, but they would not have that option if the Commissioners go through with the refinancing because the bond would need to carry out. He said they will need to proceed relatively soon while the rates are as low as they are. Mr. Andree asked how far that will extend it. Mr. Bontreger stated that it will not extend it. It will still end in 2022. The real savings after all costs and fees incurred is about \$35,000.00 per year. Mr. Bontreger stated that it sounds like a good idea to him. Mr. Norwine stated that we are saving money either way, and by refinancing, we are not depleting our funds. Mr. Walstra stated that it's best not to use that money in case we need it for something else. Mr. Jordan made the motion to support the Commissioners initiative to refinance the jail bond for the last five years. Mr. Andree seconded and the motion carried unanimously.

Mr. Walstra stated that he wanted to point out that we have a boiler in the basement that could go out at any time. It will cost around \$250,000.00 to replace. He and Mr. Bontreger stated that it's best to have money available for those types of things.

PURDUE EXTENSION / WEBINAR CONT'D: Mr. Bontreger stated that Auditor Grow mentioned the Community Development on local government, which most of the Council has attended one or so in the past. He said that if anyone is interested in getting registered, let Auditor Grow know. Mr. Norwine stated that he's let Mr. Overstreet know that he will be attending.

There being no further business, Mr. Bontreger opened the floor for public comment.

CITIZEN TOM MATHIS: Mr. Mathis was present and stated that a property that came before Planning & Development sparked some interest with him. He said he did a little research on his own. He stated that it is the Pitstick property and there's some controversy about how it's zoned. He said he took it upon himself to get on the Jasper County Beacon website and look at the assessment of this property. He said that it clearly indicates that the zoning is general commercial; however, the property class is coded as 199 – other agricultural use. He said that he's discovered that how a property is coded determines how it will be assessed. Different uses are assessed differently. He said in this case, the property went from being assessed at \$28,300.00 in 2015 to \$9,900.00 in 2016. He said that it's a significant drop for a change in use. Zoning and property tax code have a very important role in the amount a property will be assessed at. He said that he thinks these records need to be straightened out, especially if we're talking about a LOIT tax to subsidize property tax. If our property tax information is not correct, how do we know what the use is? He said that there are properties all over the county that aren't coded properly. An example he gave was the Demotte Boxing Club. It was established in 2008 and was never coded appropriately as a commercial gym until recently so we have lost revenue. He said all the property around the boxing club is zoned A-1 agricultural. He wants to know how a parcel can be taken out of the middle of an agricultural parcel that has no frontage. He said the zoning isn't correct for that activity and this should have never happened. He said this is where zoning and property tax coding have an effect on everybody. He said if the properties around us are not zoned or coded appropriately, there's a good chance we're not getting the appropriate revenue through the tax rolls for those parcels. He said that before we start thinking about a LOIT tax change rate, we need to think about getting all these properties zoned and coded appropriately instead of allowing them to expand. He said that it's wrong. He was thanked for his comments. Mr. DeVries stated that it really isn't so much of a criticism, but is something that should be looked in to.

**REGULAR MEETING OF JASPER COUNTY COUNCIL
SEPTMEBER 20, 2016**

CITIZEN TOM MATHIS CONT'D: The question is, where would we start? Mr. Andree asked if it would be picked up when the appraisals were done. Mr. DeVries stated that it's not always recorded and that we work with the honor system, although that doesn't always work and some citizens don't know about reporting things as they should. He stated that we don't have the personnel to monitor that. Mr. Bontreger asked if we know if the organization he named is a non-profit as opposed to an actual commercial gym. Mr. Mathis stated that he was told they were a not for profit at first, but he knows people that have gone there and they do pay an admission fee. Mr. DeVries stated that, sometimes, there are reasons. Mr. Fritts asked if the boxing club has been corrected. Mr. Mathis replied that it was established in 2008. He thinks the only reason it got on the tax rolls is because they went for expansion of that business. He stated that Mary (Scheurich) granted expansion of that business, which never should have occurred because it was a non-conforming illegal business. He said to his knowledge, the zoning has never been changed. A commercial gym is not allowed in an A-1 zone, such as a pig farm not being allowed in a general commercial zone. He said that it's very important that all of these records are correct and there's a form of transparency for any taxpayer that wants to look at these records. He stated that he brought up several years ago that Terborg Beverage wasn't zoned appropriately and they aren't today. He said that Mary Scheurich has every right to change a clerical error. He said this could come in to play later on if someone wants to develop something else in that area.

Mr. Jordan stated that, in regards to the Pitstick property, it had been a hog market for the last fifty years. There are two lagoons on the property. There's very little tillable farm ground of that twenty acres. It's basically been vacant and not had any income for the last twelve to fifteen years. Mr. Mathis stated that the assessment's been \$28,000.00 for the past several years and then all of a sudden, this year, it dropped. He said if the use was the same for all these years, the tax rolls would reflect that. Mr. Jordan stated that it sold about fifteen to seventeen years ago and brought about \$20,000.00 when it sold. Mr. Mathis stated that it sold for \$22,000.00 on August 30, 2002 from Southern States to Jeffrey Schultz and he owned it until June 20, 2016. However, the assessment changed in 2016. According to the assessment, the use changed. Mr. DeVries asked Mr. Mathis if what he has lists the size of the property and stated that when Mr. Pitstick presented it, it was 9.9 acres. Mr. Mathis stated that that's correct and that would fall in to an A-1 zone. Mr. DeVries stated that it did go before the Plan Commission and he believes it's something that the Commissioners are looking in to. He said they postponed it another month for further investigation in to the zoning. Mr. Mathis stated that it was originally zoned S-1. Mr. Walstra stated that when the new zoning came out, S-1 was replaced with A-1, so it was actually compliant. Mr. DeVries asked if that was what was determined because he thought it was zoned general commercial. Mr. Walstra stated that the North three-hundred feet was never commercial. He said everyone thought it was commercial, but it had never changed. It had started as S-1 and then went to A-1. It is actually zoned for what is there. Mr. Fritts asked if the building sits on the North three-hundred feet. Mr. Jordan stated that the building is on the East end of the North three-hundred feet. Mr. DeVries asked if this issue has been settled. Mr. Walstra stated that he doesn't know, only that that is the information they found out. Auditor Grow stated that it's going to be discussed October 3, 2016.

KEVIN KELLY / JCEDO: Mr. Kelly was present and stated that he sent an invitation out for an Economic Development luncheon that is being held at St. Joseph's College on September 21 starting at 11:30 A.M. The featured speaker is the President of the Economic Development Corporation. He will be discussing some of the things the State is doing from an economic development standpoint. He said there is still space available so if anyone is interested, please let him know.

There being no further business, Mr. Fritts made the motion to adjourn. Mr. Norwine seconded and the motion carried.

Rein O. Bontreger, President

ATTEST:

Kimberly K. Grow, Auditor of Jasper County

